

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

\_\_\_\_\_  
PEDRO FONTANES,

Plaintiff,

-against-

230 5<sup>TH</sup> AVE. LLC AND DIZZY'S CORPORATION,  
D/B/A DIZZY'S DINER,  
Defendant.  
\_\_\_\_\_

**STIPULATION OF  
DISMISSAL WITH  
PREJUDICE**

Civil Action No.: 1:17-cv-1377  
(ARR) (SMG)

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, and pursuant to Fed R. Civ. Pro. 41 (a)(1)(A)(ii), the above titled action against all defendants is hereby dismissed and discontinued, with prejudice, and without costs to any party and each party to bear its own attorney fees.

This Stipulation may be executed with counterpart signatures all of which taken together shall constitute an original and may also be executed by signatures via facsimile or electronic transmittal, in lieu of an original or machine generated or copied document.


DATED: New York, New York  
July 20, 2017



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**SO ORDERED**

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Hon. Allyne R. Ross, U.S.D.J